

ERIC BERNARD SHIELDS

V.

Defendants.

No. 4:11CV14 HEA

In reviewing a pro se complaint under § 1915(e)(2)(B), the Court must give the complaint the benefit of a liberal construction. *Haines v. Kerner*, 404 U.S. 519, 520 (1972). The Court must

also weigh all factual allegations in favor of the plaintiff, unless the facts alleged are clearly baseless. *Denton v. Hernandez*, 504 U.S. 25, 32 (1992).

The complaint

Plaintiff brings this action pursuant to 42 U.S.C. § 2000e-5 (Title VII); 42 U.S.C. §§ 12101, *et seq.* (American with Disabilities Act of 1990 ("ADA")), and 29 U.S.C. §§ 701, *et seq.* (Rehabilitation Act of 1973 ("RA")). The named defendants are FedEx Kinko, Bryant Coleman, and Jeff Perrin. Plaintiff alleges, as follows: "Documents being shredded and/or destroyed with interference of the FBI. Investigation to determine that of the charges with [sic]."

Plaintiff's allegations are nonsensical and wholly fail to state a claim or cause of action under Title VII, the ADA, or the RA. As such, this action will be dismissed as legally frivolous.

In accordance with the foregoing,

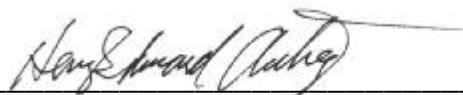
IT IS HEREBY ORDERED that plaintiff's motion for leave to proceed in forma pauperis [Doc. #1] is **GRANTED**.

IT IS FURTHER ORDERED that the Clerk shall not issue process or cause process to issue upon the complaint because the complaint is legally frivolous and fails to state a claim upon which relief may be granted. *See* 28 U.S.C. § 1915(e)(2)(B).

IT IS FURTHER ORDERED that plaintiff's motion for appointment of counsel [Doc. #4] is **DENIED** as moot.

A separate order of dismissal shall accompany this memorandum and order.

Dated this 14th day of January, 2011.



HENRY EDWARD AUTREY
UNITED STATES DISTRICT JUDGE